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14 Attorneys for Defendant, Wal-Mart Stores, Inc.

15 **UNITED STATES DISTRICT COURT,**
16 **DISTRICT OF NEVADA**

<p>17 SYLVIA LEYS, 18 v. 19 WAL-MART STORES, INC., dba Wal-Mart 20 Store #4356 a foreign corporation; MARLON 21 HUGHES; DOES I through XXX, inclusive and 22 ROE BUSINESS ENTITIES I through XXX, 23 inclusive, 24 Defendants.</p>	<p>25 Case Number: 2:17-cv-02196-APG-VCF 26 27 JOINT STIPULATION TO EXTEND 28 DISCOVERY PLAN AND SCHEDULING ORDER Filed in Compliance with LR 26-4 (Second Request)</p>
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1 Under Local Rule 26-4, the parties and through their respective counsel, Plaintiff Sylvia
2 Leys and Defendant Wal-Mart Stores, Inc. request this Court extend the discovery cutoff for
3 sixty (60) days. This is the second request for an extension of discovery deadlines.

4 **Status Report:** This action involves an accident at a retail store operated by Walmart.
5 The accident allegedly resulted in severe and debilitating injuries to Plaintiff who has over
6 \$1,000,000 in medical damages from several surgical procedures. Under LR 26-4, the deadline to
7 request an extension of discovery deadlines is April 23, 2018.

8 To date, the parties have been working diligently to complete the remaining discovery
9 within the deadlines. The parties have exchanged several sets of written discovery and either
10 deposed or scheduled the depositions of several percipient witnesses. The parties have
11 exchanged expert disclosures. And Walmart has scheduled depositions of treating physicians,
12 who Plaintiff identified in her Rule 26 disclosures.

13 Despite the extensive discovery, the parties request a sixty (60) day extension of the
14 discovery deadlines because:

15 1. Walmart seeks depositions of the corporate representatives of Nevada Spine
16 Clinic and Smoke Ranch Surgery Center, the location of many of Plaintiff's surgeries. These
17 medical facilities charged over \$800,000 for medical expenses, which Walmart contends were
18 not reasonable and customary. Both businesses refused to produce a corporate representative for
19 deposition, which forced Walmart to seek relief from this Court. After Walmart filed and served
20 the motions to compel the corporate depositions (*See* ECF Nos.35 and 36), neither business filed
21 a response. Walmart filed a non-opposition to both motions to compel on April 9, 2018. *See* ECF
22 No. 37. Even if this Court issues a court order compelling both businesses to designate a
23 corporate representative for deposition, Walmart anticipates needing additional court assistance
24 before these depositions occur.

25 2. Plaintiff seeks damages for past and future lost wages and future medical specials,
26 but her disclosures describe these amounts "unknown at this time." The parties are engaging in a
27 meet and confer about these disclosures.

3. Plaintiff listed five treating physicians and the person most knowledgeable at nearly every medical facility which treated plaintiff as possessing information that the Plaintiff's medical treatment "was caused as a result of the subject incident." Because of the number of designations, Walmart needs additional time to depose these five medical providers and the corporate representatives at several medical facilities.

New Deadlines: Therefore, the parties propose a 60-day extension with these discovery deadlines:

1. Discovery cut off:	July 13, 2018
2. Filing Motions to Amend	deadline passed
3. Initial Expert Disclosure	deadline passed
4. Rebuttal Expert Disclosure	deadline passed
5. Dispositive Motions	August 13, 2018

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1 6. Pretrial Order: A pretrial order shall be filed by August 13, 2018. But, if any
2 dispositive motions are filed, the Joint Pretrial Order shall be due thirty days after decision of
3 such motion(s). Disclosures under Fed. R. Civ. P. 26(a)(3) and any objections shall be included in
4 the Joint Pretrial Order.

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6 Dated: April 17, 2018

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8 Dated: April 17, 2018

9 **LADAH LAW FIRM, PLLC**

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21 Wal-Mart Stores, Inc.

22 IT IS SO ORDERED:



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24 UNITED STATES MAGISTRATE JUDGE

25 DATED: April 18, 2018